IN THE CLAIMS:

Claim 64 is new and has been added. Claims 2, 4-9, 21, 23-27, 62, and 63 have been canceled. Claims 17-20, 22, 28-33, 40, 42-46, 48-52, 54, 55, 57, 58, 60 and 61 have been withdrawn. Claims 3, 10-16, 34-39, 41, 47, 53, 56, and 59 have been amended herein. Please note that all claims currently pending and under consideration in the referenced application are shown below. Please enter these claims as amended. This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (currently amended) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 30° C to about 5° C below the melting temperature of the membrane ~~polymer~~ for a predetermined period of about 1-250 hours and subsequently incorporated into the drug delivery device.

2. (canceled)

3. (currently amended) ~~A~~The rate controlling membrane according to claim 1 wherein the membrane ~~comprises~~ comprises a ~~polyurethanes~~ polyurethane ~~or~~ or a polyether blocked ~~amides copolymers~~ amide copolymer.

4-9. (canceled)

10. (currently amended) ~~A~~The rate controlling membrane according to claim 3 wherein the membrane ~~comprises~~ comprises a ~~polyurethanes~~ polyurethane.

11. (currently amended) ~~A~~The rate controlling membrane according to claim 1 wherein the membrane is positioned in sealing relationship with an internal surface of one end of

an impermeable reservoir of a fluid-imbibing drug delivery device, wherein ~~said fluid imbibing drug delivery device comprises an~~ the impermeable reservoir ~~containing~~ contains a piston that divides the impermeable reservoir into a ~~drug~~ drug-containing chamber and a water-swellable ~~agent~~ agent-containing chamber, wherein the water-swellable ~~agent~~ agent-containing chamber is provided with an outlet which accommodates ~~said~~ the membrane.

12. (currently amended) ~~A~~The rate controlling membrane according to claim ~~3~~ 11 ~~wherein the~~ further comprising a ~~drug~~ drug-containing chamber ~~comprises leuprolide~~.

13. (currently amended) ~~A~~The rate controlling membrane according to claim 1 wherein the elevated temperature is about 45 - 80° C and the predetermined period is about 1 - 75 hours.

14. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 30° C to about 5° C below the melting temperature of the membrane polymer for a predetermined period of about 1 to 250 hours and subsequently incorporated into the delivery device wherein the membrane is cooled to ambient conditions before being incorporated into the delivery device.

15. (currently amended) ~~A~~The rate controlling membrane according to claim 3 wherein the elevated temperature is from about 52 – to about 72° C and the predetermined ~~time~~ period is about 2 - 36 hours.

16. (currently amended) ~~A~~The rate controlling membrane according to claim 10 wherein the elevated temperature is from about 55 – to about 75° C and the predetermined ~~time~~ period is about 12 - 48 hours.

17. (withdrawn) A method for processing rate controlling membranes used in implantable drug delivery devices comprising:

a) allowing the membrane to relax at room temperature for about 12 hours to 7 days before being subjected to elevated temperature;

b) exposing the membrane to a predetermined temperature of from about 30° C to about 5° C below the melting temperature of the membrane polymer;

c) maintaining the membrane at the predetermined temperature for a period of time of from about 1 to 250 hours; and

d) incorporating said membrane into a controlled drug delivery device.

18. (withdrawn) A method according to claim 17 wherein the predetermined temperature is from about 45° C to 80° C.

19. (withdrawn) A method according to claim 18 wherein the membrane is maintained at the predetermined temperature for a period of time of from about 1 to 75 hours.

20. (withdrawn) A method according to claim 17 wherein the membrane is cooled to ambient conditions over a period of time of about 0.1-150 hours prior to incorporating the membrane into the device.

21. (canceled)

22. (withdrawn) A method according to claim 17 wherein the membrane is formed from a material selected from the group consisting of polyurethanes and polyether blocked amides copolymers.

23-27. (canceled)

28. (withdrawn) A method according to claim 17 wherein the membrane is allowed to set at ambient conditions for a period of at least about 12 hours after processing prior to exposing the membrane to said predetermined temperature.

29. (withdrawn) A method according to claim 28 wherein the membrane is allowed to set at ambient conditions for a period of at least 48 hours after processing prior to exposing the membrane to said predetermined temperature.

30. (withdrawn) A method according to claim 17 wherein the membrane comprises polyurethane.

31. (withdrawn) A method according to claim 30 wherein the predetermined temperature is about 55-75° C and the period of time is about 12-48 hours.

32. (withdrawn) A method according to claim 31 wherein the membrane is positioned in sealing relationship with an internal surface of one end of an impermeable reservoir of a fluid-imbibing drug delivery device, wherein said fluid imbibing drug delivery device comprises an impermeable reservoir containing a piston that divides the reservoir into an active agent containing chamber and a water-swellable agent containing chamber, wherein the water-swellable agent containing chamber is provided with an outlet which accommodates said membrane.

33. (withdrawn) A method according to claim 32 wherein the membrane is plug-shaped.

34. (currently amended) ~~A~~The rate controlling membrane according to ~~claim 1~~ claim 1 wherein the membrane ~~comprises~~ comprises a polyether blocked ~~amides copolymers~~ amide copolymer.

35. (currently amended) ~~A~~The rate controlling membrane according to claim 10 wherein the polyurethane is a single aliphatic polyether polyurethane or a blend of aliphatic polyether polyurethanes.

36. (currently amended) ~~A~~The rate controlling membrane according to claim 11 wherein the ~~drug~~ drug-containing chamber comprises an opioid analgesic drug.

37. (currently amended) ~~A~~The rate controlling membrane according to claim 11 wherein the ~~drug~~ drug-containing chamber comprises an antiviral drug.

38. (currently amended) ~~A~~The rate controlling membrane according to claim 11 wherein the ~~drug~~ drug-containing chamber comprises an antineoplastic drug.

39. (currently amended) ~~A~~The rate controlling membrane according to claim 10 wherein the membrane is allowed to relax at room temperature for about 12 hours to 7 days before being annealed.

40. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 30° C to about 5° C below the melting temperature of the membrane polymer for a predetermined period of about I to 250 hours and subsequently incorporated into the delivery device wherein the membrane is allowed to relax at room temperature for about 12 hours to 7 days before being annealed.

~~41~~41. (currently amended) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 52° C to about 72° C for a predetermined period of about 2 to 36 hours and subsequently incorporated into the drug delivery device.

42. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 52° C to about 72° C for a predetermined period of about 2 to 36 hours and subsequently incorporated into the delivery device wherein the membrane is cooled to ambient conditions before being incorporated into the delivery device.

43. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 52° C to about 72° C for a predetermined period of about 2 to 36 hours and subsequently incorporated into the delivery device, wherein the membrane is allowed to relax at room temperature for about 12 hours to 7 days before being subjected to an elevated temperature.

44. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 52° C to about 72° C for a predetermined period of about 2 to 36 hours and subsequently incorporated into the delivery device wherein during processing the membrane is dried to about 0 to about 1 % moisture content before being annealed and wherein the membrane is kept at about 0 to about 1% moisture content during annealing.

45. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by allowing the membrane to relax at room temperature for about 12 hours to 7 days before being annealed; subjecting the membrane to an elevated temperature of about 52° C to about 72° C for a predetermined period of about 2 to 36 hours; and cooling the membrane to ambient conditions before being incorporated into the delivery device.

46. (withdrawn) A rate controlling membrane for an implantable drug delivery device characterized by allowing the membrane to relax at room temperature for about 12 hours to 7

days before being annealed; drying the membrane to about 1 to 2% moisture content; subjecting the membrane to an elevated temperature of about 52° C to about 72° C for a predetermined period of about 2 to 36 hours while keeping the moisture content of the membrane at about I to 2%; and cooling the membrane to ambient conditions before being incorporated into the delivery device.

47. (currently amended) ~~A~~The rate controlling membrane according to claim 10 wherein the elevated temperature is from about 50 – to about 80° C and the predetermined ~~time~~ period is about 4 hours — to about 72 hours.

48. (withdrawn) A method for processing rate controlling membranes used in implantable drug delivery devices comprising:

a) allowing the membrane to relax at room temperature for about 12 hours to 7 days;

b) exposing the relaxed membrane to a predetermined temperature of from about 30° C to about 5°C below the melting temperature of the membrane polymer;

c) maintaining the membrane at the predetermined temperature for a period of time of from about 1 to 250 hours; and

d) incorporating said membrane into a controlled drug delivery device.

49. (withdrawn) A method for processing rate controlling membranes used in implantable drug delivery devices comprising:

a) allowing the membrane to relax at room temperature for about 12 hours —7 days;

b) exposing the relaxed membrane to a predetermined temperature of from about 30° C to about 5°C below the melting temperature of the membrane polymer;

c) maintaining the membrane at the predetermined temperature for a period of time of from about 1 to 250 hours;

d) allowing the annealed membrane to cool to room temperature for about 0.1 to 250 hours; and

e) incorporating said membrane into a controlled drug delivery device.

50. (withdrawn) A method according to claim 17 wherein the membrane comprises polyether blocked amides copolymers.

51. (withdrawn) A method according to claim 50 wherein the predetermined temperature is about 55-75° C and the period of time is about 12—48 hours.

52. (withdrawn) A method according to claim 51 wherein the membrane is positioned in sealing relationship with an internal surface of one end of an impermeable reservoir of a fluid-imbibing drug delivery device, wherein said fluid imbibing drug delivery device comprises an impermeable reservoir containing a piston that divides the reservoir into an active agent containing chamber and a water-swellable agent containing chamber, wherein the water-swellable agent containing chamber is provided with an outlet which accommodates said membrane.

53. (currently amended) ~~A~~The rate controlling membrane for an implantable drug delivery device characterized by being subjected to an elevated temperature of about 45° C to about 80° C for a predetermined period of from about 1 — to about 75 hours and subsequently incorporated into the drug delivery device.

54. (withdrawn) A method for processing rate controlling membranes with low variability of water uptake from membrane to membrane for an implantable drug delivery device comprising:

a) allowing the membrane to relax at room temperature for about 12 hours —7 days;

b) drying the moisture content of the membrane to about 0 to about 1 %;

c) exposing the relaxed membrane to a predetermined temperature of from about 30° C to about 5°C below the melting temperature of the membrane polymer while maintaining the low moisture content of the membrane;

d) maintaining the membrane at the predetermined temperature for a period of time of from about 1 to 250 hours;

e) allowing the annealed membrane to cool to room temperature for about 0.1 to 250 hours; and

f) incorporating said membrane into a controlled drug delivery device.

55. (withdrawn) A rate controlling membrane for an implantable drug delivery device with decreased variability of water uptake from membrane to membrane.

56. (currently amended) A rate controlling membrane for an ~~implantabte~~ implantable drug delivery device characterized by being subjected to an elevated temperature of about 55° C - 75° C for a predetermined period of about 12 —48 hours wherein the membrane comprises a material selected from the group consisting of ~~polyurethanes~~ a polyurethane ~~or~~ and a polyether blocked ~~amides copolymers~~ amide copolymer.

57. (withdrawn) A method for processing rate controlling membranes used in implantable drug delivery devices comprising:

a) allowing the membrane to relax at room temperature for about 12 hours to 7 days before being subjected to elevated temperature;

b) exposing the membrane to a predetermined temperature of from about 45° C

to about 80°C;

c) maintaining the membrane at the predetermined temperature for a period of time of from about 1 to 250 hours; and

d) incorporating said membrane into a controlled drug delivery device.

58. (withdrawn) A method for processing rate controlling membranes used in implantable drug delivery devices comprising:

a) allowing the membrane to relax at room temperature for about 12 hours to 7 days before being subjected to elevated temperature;

a) exposing the membrane to a predetermined temperature of from about 45° C to about 80°C;

b) maintaining the membrane at the predetermined temperature for a period of time of from about 1 to 75 hours; and

c) incorporating said membrane into a controlled drug delivery device.

59. (currently amended) ~~A~~The rate controlling membrane according to claim 3 wherein the membrane ~~comprises~~ comprises a polyether blocked ~~amides copolymers~~ amide copolymer.

60. (withdrawn) An annealed rate controlling membrane for an implantable drug delivery device wherein the annealed membrane exhibits more stable water uptake and more stable water permeability than a non-annealed membrane.

61. (withdrawn) An annealed rate controlling membrane for an implantable drug delivery device wherein the annealing process decreases the variability of water uptake from membrane to membrane over time.

62. (canceled)

63. (canceled)

64. (new) The rate controlling membrane according to claim 12, wherein the drug containing chamber comprises leuprolide.